

Jay R. McDaniel, Esq.  
WEINER LAW GROUP LLP  
629 Parsippany Road, P.O. Box 438  
Parsippany, New Jersey 07054-0438  
Phone: (973) 403-1100 Fax: (973) 403-0010  
*Attorneys for Defendants, Controse, Inc. and Bob Kung*  
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**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**CHROME HEARTS LLC, a  
Delaware  
Limited Liability Company,**

**Plaintiff,**

**v.**

**CONTROSE INC., a New York  
Corporation; BOB KUNG, an  
Individual and DOES 1-10,  
inclusive,**

**Defendants.**

**21-cv-6858 – LJL-VF**

*Civil Action*

**DEFENDANTS' NOTICE OF  
MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that the undersigned, counsel for Defendants, Controse Inc and Bob Kung (jointly "Defendants"), will move before this Court in the Southern District of New York on a date set by this Court for an Order granting partial summary judgment against Plaintiff, Chrome Hearts, LLC, in favor of the Defendants, for a finding of no liability as to all claims of 1) counterfeit in Plaintiff's Amended Complaint; 2) any infringement was unintentional, not willful, without

malice, and without bad faith; 3) Plaintiff's Unfair Competition under New York Common law be dismissed; and 4) a finding that no punitive damages is available.

PLEASE TAKE FURTHER NOTICE that Defendants will rely upon the Declaration of Jay R. McDaniel, Esq., Declaration of Bob Kung, Defendants' Brief, and Defendants' Statement of Material Facts in support.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is attached hereto.

{Signature page to follow}

Respectfully submitted,

WEINER LAW GROUP LLP  
*Attorneys for Defendants, Controse, Inc.  
and Bob Kung*

By: *s/Jay R. McDaniel*

Jay R. McDaniel, Esq.  
A Member of the Firm

Dated: September 12, 2022